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TAGS: [KTIP](#) [ELAB](#) [KCRM](#) [KPAO](#) [KWMN](#) [PGOV](#) [PHUM](#) [PREL](#) [SMIG](#) [MZ](#)
SUBJECT: MOZAMBIQUE -- 2009 TIP REPORT: PRESS GUIDANCE AND
DEMARCHE

REF: A. (A) STATE 59732
[1](#)B. (B) STATE 005577

[1](#)1. This is an action cable; see paras 5 through 7 and 10.

[1](#)2. On June 16, 2009, at 10:00 a.m. EDT, the Secretary will release the 2009 Trafficking in Persons (TIP) Report at a press conference in the Department's press briefing room. This release will receive substantial coverage in domestic and foreign news outlets. Until the time of the Secretary's June 16 press conference, any public release of the Report or country narratives contained therein is prohibited.

[1](#)3. The Department is hereby providing Post with advance press guidance to be used on June 16 or thereafter. Also provided is demarche language to be used in informing the Government of Mozambique of its tier ranking and the TIP Report's imminent release. The text of the TIP Report country narrative is provided, both for use in informing the Government of Mozambique and in any local media release by Post's public affairs section on June 16 or thereafter. Drawing on information provided below in paras 8 and 9, Post may provide the host government with the text of the TIP Report narrative no earlier than 1200 noon local time Monday June 15 for WHA, AF, EUR, and NEA countries and OOB local time Tuesday June 16 for SCA and EAP posts. Please note, however, that any public release of the Report's information should not/precede the Secretary's release at 10:00 am EDT on June 16.

[1](#)4. The entire TIP Report will be available on-line at www.state.gov/g/tip shortly after the Secretary's June 16 release. Hard copies of the Report will be pouched to posts in all countries appearing on the Report. The Secretary's statement at the June 16 press event, and the statement of and fielding of media questions by G/TIP's Director and Senior Advisor to the Secretary, Ambassador-at-Large Luis CdeBaca, will be available on the Department's website shortly after the June 16 event. Ambassador de Baca will also hold a general briefing for officials of foreign embassies in Washington DC on June 17 at 3:30 EDT.

[1](#)5. Action Request: No earlier than 12 noon local time on Monday June 15 for WHA, AF, EUR, and NEA posts and OOB local time on Tuesday June 16 for SCA and EAP posts, please inform the appropriate official in the Government of Mozambique of the June 16 release of the 2009 TIP Report, drawing on the points in para 9 (at Post's discretion) and including the text of the country narrative provided in para 8. For countries where the State Department has lowered the tier ranking, it is particularly important to advise governments prior to the Report being released in Washington on June 16.

[1](#)6. Action Request continued: Please note that, for those countries which will not receive an "action plan" with specific recommendations for improvement, posts should draw host governments' attention to the areas for improvement identified in the 2009 Report, especially highlighted in the "Recommendations" section of the second paragraph of the narrative text. This engagement is important to establishing

the framework in which the government's performance will be judged for the 2010 Report. If posts have questions about which governments will receive an action plan, or how they may follow up on the recommendations in the 2009 Report, please contact G/TIP and the appropriate regional bureau.

¶7. Action Request continued: On June 16, please be prepared to answer media inquiries on the Report's release using the press guidance provided in para 11. If Post wishes, a local press statement may be released on or after 10:30 am EDT June 16, drawing on the press guidance and the text of the TIP Report's country narrative provided in para 8.

¶8. Begin Final Text of Mozambique,s country narrative in the 2009 TIP Report:

MOZAMBIQUE (TIER 2)

Mozambique is a source and, to a much lesser extent, a destination country for men, women, and children trafficked for the purposes of forced labor and sexual exploitation. The use of forced and bonded child laborers is a common practice in Mozambique's rural areas, often with the complicity of family members. Women and girls, often with promises of employment or education, are trafficked from rural to urban areas of Mozambique, as well as to South Africa, for domestic servitude and commercial sexual exploitation; young men and boys are trafficked to South Africa for farm work and mining. Trafficked Mozambicans often labor for months in South Africa without pay and under coercive conditions before their exploiters have them arrested and deported as illegal migrants. Traffickers are typically part of small networks of Mozambican and/or South African citizens; however, the involvement of larger Chinese and Nigerian syndicates has been reported. Small numbers of Mozambican children and adults are reportedly trafficked to Zambia for agricultural labor, while adults are trafficked to Portugal for forced labor and commercial sexual exploitation.

Zimbabwean and Malawian women and girls are trafficked to Mozambique for sexual exploitation and domestic servitude. A recent NGO report found that human trafficking of Mozambican children and adults for the forcible removal of body parts is significant; so-called witchdoctors in Mozambique and South Africa seek various body parts of live victims for traditional medical concoctions commonly purchased to heal illness, foster economic advancement, or hurt enemies.

The Government of Mozambique does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Mozambique demonstrated an increased commitment to combating trafficking in 2008, particularly through the enactment of comprehensive anti-trafficking legislation, the creation of an anti-trafficking police unit, and the conviction and sentencing of two child traffickers.

Recommendations for Mozambique: Utilize new anti-trafficking legislation to prosecute and convict suspected trafficking offenders; launch a nationwide public awareness campaign; build the capacity of the new police anti-trafficking unit and victim support units to investigate cases and provide short-term protection to victims; and investigate and prosecute public officials suspected of accepting bribes to overlook trafficking crimes or free traffickers.

Prosecution

The government demonstrated progress in its anti-trafficking law enforcement efforts during the reporting period. In April 2008, the National Assembly passed the final version of a comprehensive human trafficking law. In June, the president signed the bill into law; it went into force in September after being gazetted. The law provides for penalties of 16 to 20 years, imprisonment for those recruiting or facilitating the exploitation of a person for purposes of prostitution, forced labor, slavery, or

involuntary debt servitude; these penalties are sufficiently stringent and exceed those for other grave crimes. The government budgeted \$360,000 to support the enforcement of this new law, though this funding has not yet been allocated to any government entity. Following passage of the law, the Mozambican Police created a six-person anti-trafficking unit to apprehend trafficking offenders, investigate cases, and reintegrate victims. This unit began developing procedures for interviewing potential victims and transferring them to the care of other organizations. In 2008, the Ministry of Justice launched a juvenile court system in Maputo specifically designed to handle trafficking cases, as well as other sensitive cases involving children; this new court has yet to hear a child trafficking case. In July 2008, under child abuse laws, a Maputo court sentenced two Turkish citizens to a year in prison and fined each \$3,100 for physically and sexually abusing 17 children whom they brought to the capital under pretense of providing an Islamic education, but actually used for domestic servitude at their private residence. In mid-2008, the Ministry of Interior worked closely with South African authorities to develop evidence needed for the trial of a Mozambican sex trafficker in Pretoria. During the reporting period, police also reported breaking up several trafficking schemes, arresting several drivers and facilitators, but not the organizers behind the operations.

Many low-ranking police and border control agents reportedly accept bribes from traffickers, severely hindering Mozambique's prosecution efforts. In response, the government institutionalized training on human trafficking as a standard part of the mandatory training program for new border guard and police cadets. In addition, the Ministry of Interior's Office for Assistance to Women and Vulnerable Children began implementing a plan to augment trafficking awareness training for police officers; it also increased the availability of victim support services in each of the country's police stations.

Protection

The government's efforts to protect victims of trafficking continued to suffer from limited resources and a lack of political commitment; government officials regularly relied on NGOs to provide shelter, food, counseling, and rehabilitation. Moreover, the government continues to lack formalized procedures for identifying potential victims and transferring them to NGOs with the capacity to provide care. The Office of Assistance to Women and Vulnerable Children, however, continued collaboration with a network of anti-trafficking NGOs to respond quickly to tips on potential trafficking cases and provide care and protection to victims.

Each of the 204 police stations has designated staff to respond to cases of women and children victimized by violence; these victim support centers registered complaints and filed reports of trafficking crimes before transferring victims to the care of NGOs. The Mozambican police force reportedly rescued more than 200 Mozambican children being trafficked to South Africa in the first half of 2008. The government also provided shelter and medical care for two Mozambican girls rescued from sex trafficking in South Africa in March 2008; the trial of their Mozambican trafficker is ongoing in Pretoria. The government encouraged victims to assist in the investigation and prosecution of traffickers, and did not penalize victims for unlawful acts committed as a direct result of their being trafficked. The government neither systematically seeks to identify trafficking victims among vulnerable groups nor provides legal alternatives to the removal of foreign trafficking victims to countries where they would face hardship or retribution.

Prevention

The government's prevention efforts remained weak during the reporting period; it has yet to launch a nationwide campaign to foster public awareness of human trafficking among government officials and private citizens. As a result, most Mozambicans, including many law enforcement officials,

reportedly still do not have a clear understanding of what constitutes trafficking. In the year following the March 2008 arrest of a Mozambican sex trafficker in South Africa, the government-owned and private press ran frequent articles on updates to the case, the need for passage of the anti-trafficking law, and suspected cases of trafficked Mozambican children, including children abducted from school playgrounds in Maputo and Matola. At year's end, police and Ministry of Justice officials began regularly meeting with NGOs to develop a viable anti-trafficking strategy for the 2010 World Cup, which is expected to increase the incidence of Mozambicans trafficked to South Africa for sexual exploitation. Radio Mozambique and Television Mozambique continued to produce and air, with the assistance of international organizations, child-to-child programs focused on children's themes, including child trafficking. Radio Mozambique aired an IOM-produced radio drama on human trafficking. The government, however, did not take any significant measures during the reporting period to reduce the demand for forced labor or commercial sex acts during the year.

19. Post may wish to deliver the following points, which offer technical and legal background on the TIP Report process, to the host government as a non-paper with the above TIP Report country narrative:

(begin non-paper)

-- The U.S. Congress, through its passage of the 2000 Trafficking Victims Protection Act, as amended (TVPA), requires the Secretary of State to submit an annual Report to Congress. The goal of this Report is to stimulate action and create partnerships around the world in the fight against modern-day slavery. The USG approach to combating human trafficking follows the TVPA and the standards set forth in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (commonly known as the "Palermo Protocol"). The TVPA and the Palermo Protocol recognize that this is a crime in which the victims, labor or services (including in the "sex industry") are obtained or maintained through force, fraud, or coercion, whether overt or through psychological manipulation. While much attention has focused on international flows, both the TVPA and the Palermo Protocol focus on the exploitation of the victim, and do not require a showing that the victim was moved.

-- Recent amendments to the TVPA removed the requirement that only countries with a "significant number" of trafficking victims be included in the Report. Beginning with the 2009 TIP Report, countries determined to be a country of origin, transit, or destination for victims of severe forms of trafficking are included in the Report and assigned to one of three tiers. Countries assessed as meeting the "minimum standards for the elimination of severe forms of trafficking" set forth in the TVPA are classified as Tier 1. Countries assessed as not fully complying with the minimum standards, but making significant efforts to meet those minimum standards are classified as Tier 2. Countries assessed as neither complying with the minimum standards nor making significant efforts to do so are classified as Tier 3.

-- The TVPA also requires the Secretary of State to provide a "Special Watch List" to Congress later in the year. Anti-trafficking efforts of the countries on this list are to be evaluated again in an Interim Assessment that the Secretary of State must provide to Congress by February 1 of each year. Countries are included on the "Special Watch List" if they move up in "tier" rankings in the annual TIP Report -- from 3 to 2 or from 2 to 1) or if they have been placed on the Tier 2 Watch List.

-- Tier 2 Watch List consists of Tier 2 countries determined: (1) not to have made "increasing efforts" to combat human trafficking over the past year; (2) to be making significant

efforts based on commitments of anti-trafficking reforms over the next year, or (3) to have a very significant number of trafficking victims or a significantly increasing victim population. As indicated in reftel B, the TVPRA of 2008 contains a provision requiring that a country that has been included on Tier 2 Watch List for two consecutive years after the date of enactment of the TVPRA of 2008 be ranked as Tier 3. Thus, any automatic downgrade to Tier 3 pursuant to this provision would take place, at the earliest, in the 2011 TIP Report (i.e., a country would have to be ranked Tier 2 Watch List in the 2009 and 2010 Reports before being subject to Tier 3 in the 2011 Report). The new law allows for a waiver of this provision for up to two additional years upon a determination by the President that the country has developed and devoted sufficient resources to a written plan to make significant efforts to bring itself into compliance with the minimum standards.

-- Countries classified as Tier 3 may be subject to statutory restrictions for the subsequent fiscal year on non-humanitarian and non-trade-related foreign assistance and, in some circumstances, withholding of funding for participation by government officials or employees in educational and cultural exchange programs. In addition, the President could instruct the U.S. executive directors to international financial institutions to oppose loans or other utilization of funds (other than for humanitarian, trade-related or certain types of development assistance) with respect to countries on Tier 3. Countries classified as Tier 3 that take strong action within 90 days of the Report's release to show significant efforts against trafficking in persons, and thereby warrant a reassessment of their Tier classification, would avoid such sanctions. Guidelines for such actions are in the DOS-crafted action plans to be shared by Posts with host governments.

-- The 2009 TIP Report, issuing as it does in the midst of the global financial crisis, highlights high levels of trafficking for forced labor in many parts of the world and systemic contributing factors to this phenomenon: fraudulent recruitment practices and excessive recruiting fees in workers, home countries; the lack of adequate labor protections in both sending and receiving countries; and the flawed design of some destination countries, "sponsorship systems" that do not give foreign workers adequate legal recourse when faced with conditions of forced labor. As the May 2009 ILO Global Report on Forced Labor concluded, forced labor victims suffer approximately \$20 billion in losses, and traffickers, profits are estimated at \$31 billion. The current global financial crisis threatens to increase the number of victims of forced labor and increase the associated "cost of coercion."

-- The text of the TVPA and amendments can be found on website www.state.gov/g/tip.

-- On June 16, 2009, the Secretary of State will release the ninth annual TIP Report in a public event at the State Department. We are providing you an advance copy of your country's narrative in that report. Please keep this information embargoed until 10:00 am Washington DC time June 16. The State Department will also hold a general briefing for officials of foreign embassies in Washington DC on June 17 at 3:30 EDT.

(end non-paper)

10. Posts should make sure that the relevant country narrative is readily available on or through the Mission's web page in English and appropriate local language(s) as soon as possible after the TIP Report is released. Funding for translation costs will be handled as it was for the Human Rights Report. Posts needing financial assistance for translation costs should contact their regional bureau's EX office.

11. The following is press guidance provided for Post to use with local media.

Q1: Why was Mozambique upgraded from Tier 2 Watch List to Tier 2?

A: Mozambique demonstrated an increased commitment to combating trafficking in 2008, particularly through the enactment of comprehensive anti-trafficking legislation, the creation of an anti-trafficking police unit, and the conviction and sentencing of two child traffickers. In addition, the Ministry of Justice launched a juvenile court system in Maputo specifically designed to handle trafficking cases, as well as other sensitive cases involving children. The police force reportedly rescued more than 200 Mozambican children being trafficked to South Africa in the first half of 2008. The government also provided shelter and medical care for two Mozambican girls rescued from sex trafficking in South Africa. Police and Ministry of Justice officials began regularly meeting with NGOs to develop a viable anti-trafficking strategy for the 2010 World Cup, which is expected to increase the incidence of Mozambicans trafficked to South Africa for sexual exploitation.

Q2: What can Mozambique do to further the fight against trafficking in persons?

A: To advance its anti-trafficking efforts, the Government of Mozambique could: utilize new anti-trafficking legislation to prosecute and convict suspected trafficking offenders; launch a nationwide public awareness campaign; build the capacity of the new police anti-trafficking unit and victim support units to investigate cases and provide short-term protection to victims; and investigate and prosecute public officials suspected of accepting bribes to overlook trafficking crimes or free traffickers.

¶12. Post may want to highlight the work of Inacio Sebastiao Mussanhane, one of Heroes in the Global Effort to Combat Trafficking in Persons honored by the Secretary of State in her 2009 TIP Report, in its engagement of local media.

Inacio Sebastiao Mussanhane, a Mozambican lawyer, was studying in South Africa when he heard that Mozambican girls were being kept as sex slaves at an upscale brothel in Pretoria. In 2008, he met three girls who had fallen victim to a powerful organized network that lures young girls from Mozambique for sexual exploitation. Pretending to be a client, Mr. Mussanhane went to the brothel and gained the confidence of the girls. Despite attempts by the criminal gang to bribe him, threaten his life, and kidnap him, Mr. Mussanhane began to work closely with the South African police, a local trafficking shelter, the Mozambican embassy, and the South African Ministry of Justice. Police freed the girls and arrested the network's organizer. The case went to court in October 2008 and is ongoing. Throughout the case, Mr. Mussanhane has been educating the Mozambican and South African governments, police, and courts on the nature of human trafficking. He continues to risk his life to protect the Mozambican girls, ensure the prosecution of the perpetrators, bring international attention to the issue, and disrupt a profitable multinational criminal organization.

¶13. The Department appreciates posts, assistance with the preceding action requests.
CLINTON